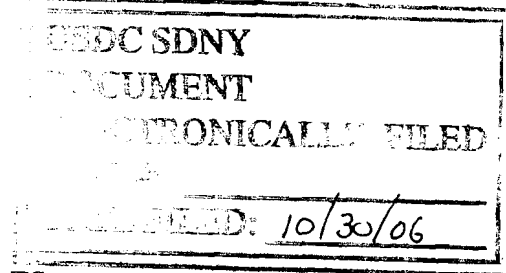


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re BENNETT ENVIRONMENTAL INC.,
SECURITIES LITIGATION

No. 04-CV-05852-LTS

Judge Laura Taylor Swain

Jury Trial Demanded

A handwritten signature, likely of the court clerk, written in black ink.

PROPOSED CLASS DISTRIBUTION ORDER AND JUDGMENT

Lead Plaintiffs, by notice of motion filed on October 16, 2006, pursuant to Paragraph 10 of the Stipulation and Agreement of Settlement entered into by the parties on October 25, 2005 and on notice to Defendants' Counsel, moved this Court for the distribution of the Net Settlement Fund, and the Court having considered all the materials and arguments submitted in support of this motion, including Lead Plaintiffs' Memorandum in Support of a Distribution of Net Settlement Fund and the Affidavit of Randi Alarcon Collotta (the "Collotta Affidavit"), submitted therewith;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The administrative recommendation to accept 2,132 Claims, as set forth in Exhibit C to the Collotta Affidavit, are adopted and Plaintiffs' Lead Counsel is authorized to direct ~~a~~ distribution of the Net Settlement Fund to the Authorized Claimants set forth therein;
2. The wholly ineligible or otherwise deficient Claims not disputed, as set forth in Exhibit C to the Collotta Affidavit, are rejected;
3. Plaintiffs' Lead Counsel are authorized to direct payment of \$108,164.10 out of the Net Settlement Fund to the claims administrator, Garden City Group, Inc. ("GCG"), for the

balance of its fees and expenses in connection with the administration of the Settlement, and fees for the distribution of the Fund and estimated postage for such distribution;

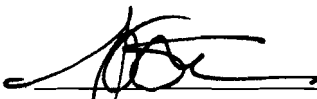
4. GCG shall distribute 100% of the available balance (after deducting estimates taxes and the costs of preparing appropriate final tax returns) of the Net Settlement Fund to the Authorized Claimants, as set forth in Exhibit C to the Collotta Affidavit, in proportion to their Recognized Claim amounts;

5. No Claim received after the entry of this Class Distribution Order may be accepted; and

6. The Court retains jurisdiction to consider any further applications concerning the administration of the settlement and such other and further relief as this Court deems appropriate.

Dated: New York, New York

October 27, 2006


HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE